

RESPIRE FOR KEMMLER.

Habeas Corpus Proceedings in the Case of William Kemmler.—The habeas corpus proceedings in the case of William Kemmler, who was sentenced to the electric chair for the murder of his wife, have been postponed to the 10th of May.

GRANTING OF THE WRIT.—Judge Wallace, of Syracuse, has issued an order to produce Kemmler before him on June 6, and the execution will therefore be postponed.

UTICA, N. Y., April 29.—Judge Wallace, of Syracuse, has issued an order to produce Kemmler before him on June 6, and the execution will therefore be postponed.

UTICA, N. Y., April 30.—The documents in the Kemmler habeas corpus proceedings were received by Clerk Doolittle of the United States Circuit Court at half-past ten o'clock last night. They came from Kemmler's attorney, Roger M. Sherman, and were mailed at Syracuse. A letter accompanied the papers in which Clerk Doolittle was informed that Mr. Sherman had arranged to dispense with formal service, and requesting him to mail the writs to Warden Durston, saying that would be sufficient. The writ directs the Warden to produce the body of Kemmler before the United States Circuit Court at 10 a. m. at Canadigua, Tuesday, June 10. The petition upon which the writ was granted is as follows:

To the Judge of the Circuit Court of the United States for the Northern District of New York:

The petition of William Kemmler respectfully shews:

1. That he is a citizen of the United States and is deprived of his liberty by Charles F. Durston, agent and warden of the State Prison at Auburn, in the said Northern District of New York, who threatens and is about to put him, said Kemmler, to death by causing to pass through the body of said Kemmler a current of electricity of sufficient intensity, in the opinion of said Durston, to cause death, and that said Durston, by so doing, holds him in custody and deprives him of his liberty against his will and in violation of the Constitution of the United States.

2. The facts concerning the detention of him, said Kemmler, and the claim of authority by virtue of which he is detained are as follows:

He was convicted in the Court of Oyer and Terminer and the County of Erie, in the State of New York, of the crime of murder in the first degree committed March 24, 1889, and a warrant has been issued upon the judgment of said conviction to said Durston, appointing the week within which sentence must be executed, commanding said Durston to do execution upon some day within the said week by causing to pass through the body of him, said William Kemmler, a current of electricity of sufficient intensity to cause death, and that the application of such current of electricity be continued until he, said William Kemmler, be dead. Said writ expires on the 10th of May, 1890.

3. The only authority of law for said sentence is a statute of the State of New York, chapter 88 of the laws of 1889 entitled an act to amend sections 42, 43, 44, 45, 46, 47, 48, 49, 50 of the Code of Criminal Procedure in relation to the infliction of the death penalty and provide means for the infliction of such penalty.

4. Said statute is in conflict with the Constitution of the United States, in that the punishment imposed thereby is cruel, unusual, and in that thereby said statute abridges the immunities of him, said William Kemmler, from cruel and unusual punishment for crime.

5. Said statute, moreover, is in conflict with the Constitution of the United States in that the punishment imposed thereby deprives him, said William Kemmler, of his life without due process of law; not only in that the said statute is in conflict with the death is unlawful, but also in that the judicial function of fixing the time of his death is thereby taken from the court and delegated to an executive officer or some uncertain substitute upon some undefined and unaccountable cause.

6. Your petitioner, therefore, alleges that the commitment of the aforesaid William Kemmler and his detention under the warrant aforesaid are null, void and of no force or validity, and prays that this honorable court do forthwith issue the writ of habeas corpus to the said Charles F. Durston, agent and warden as aforesaid, requiring him to produce the body of him, said William Kemmler, before this court at some time to be designated in the writ, and that he show what shall be awarded by said court in the premises. And at the same time he prays your honors to certify to said court the writ of certiorari to the Court of Oyer and Terminer of the County of Erie and the clerk thereof, commanding him forthwith to certify to said Circuit Court of the United States, true copies of the indictment record, orders and commitments in said court remaining under or by virtue of which said William Kemmler is now deprived of his liberty by authority of that court.

And your petitioner will ever pray, etc.

County Cayuga, s. s. William Kemmler being duly sworn, says: "I am the petitioner named in the foregoing petition. I have read the same, know its contents, and the same is true to the best of my knowledge, information and belief."

(Signed) WILLIAM KEMMLER.

Sworn by me this 24th day of April, 1890.

D. R. McNEIL.

Notary Public, Cayuga County.

The feeling of relief was scarcely less to Warden Durston than it was to Kemmler himself, and the same may be said of the faithful McNaughton, who, during the past few days, has been greatly wrought up.

Judge Wallace's Reason.

NEW YORK, April 30.—Judge Wallace says that in granting the Kemmler habeas corpus writ he upheld views of himself which he has long held, and inasmuch as the case was one of life and death the question involved should be passed upon by the highest tribunal in the land. The question as to the validity of the delegation of power to a sheriff to fix the time and circumstances of the death of a condemned man, was a serious one.

The Judge intimated that the restriction of the liberty of the press was also a question to be considered, but he did not say positively that this was one of the reasons for granting the writ. The question of the cruelty or unusual nature of the punishment was also considered by the Supreme Court. There were other questions involved, but the Judge did not care to extend the interview which was granted at a very late hour.

Attempted Suicide in a Farm Bank.

WASHINGTON, April 29.—H. Clay Grey, a well-known commission merchant on Ninth street, near Pennsylvania avenue, shot himself through the head about eleven o'clock last night in a farm bank at the south end of the Long Bridge. He had been drinking, and presumably losing heavily. As soon as a carriage could be obtained he was taken to the Emergency Hospital. His wound, located over the left temple, is an exceedingly dangerous one, but the physicians say he may recover. Grey resided at No. 1212 B. street, southwest, where he has a wife and two children.

The Conciliatory Spirit Don't Work. So Fight It.

BOSTON, April 30.—A secret meeting of the striking employees of J. P. Squires & Company was held yesterday morning. Master-Workman Mellen said to a reporter that the workmen find that the conciliatory spirit goes for naught with Mr. Squires, so "fight" must be the word. "The men said Mr. Mellen, 'have prepared a list of all grocers and provision dealers who have dealt with J. P. Squires, and organized labor will be asked to co-operate with them in impressing these dealers with the justice of letting Squires alone.'

THE EIGHT-HOUR MOVE.

General Master Workman Powderly of the Knights of Labor in Favor of the Shorter Day. But at the same time of pay as now received for the day of Ten Hours. His Plan for Securing It.

SCRANTON, Pa., May 1.—General Master Workman Powderly of the Knights of Labor was seen at his home yesterday by a reporter of the United Press. The master workman had just returned from Buffalo, where he had gone to address a meeting of the Knights of Labor in New York and elsewhere to-day, and at first stated that he had nothing to say and that all such information should come from Mr. Gompers, president of the Federation of Labor, under whose auspices the demonstration would be held.

Mr. Powderly said that he would address a labor meeting in Jersey City this evening, at which time he would air his ideas concerning this great labor movement. Warming up to the subject he said that his position on this question was too well known to need explanation. He had always favored an eight-hour law. The Knights of Labor had also endorsed it, adopting a preamble favoring it at the general assembly in 1878. As he understood it, to-day's demonstrations throughout the country were to convince the public that the labor movement was really in favor of shorter hours for the toiler. It had been alleged by many that the eight-hour movement was simply for effect, and that the workmen did not really favor it. After the demonstration of to-day it was to be hoped that there would be no untrue charges of this kind.

"The movement to secure an eight-hour law is a universal one," said Mr. Powderly, "and we are all working steadily for it. Within the last few years about thirty industries employing labor have adopted it, and still others have adopted the eight-hour system. In some instances workmen received but eight hours' compensation and in others they got ten hours' pay for eight hours' work. Other industries pay their workmen ten hours' compensation for nine hours' work."

"The plan which I recommended to the general assembly was to reduce the hours of labor one-half hour each year until an eight-hour system could be obtained with ten hours' pay. This has been adopted by the Union Pacific Railroad Company, and in three years their men will be working eight hours daily. I believe that the American Federation of Labor is concentrating its efforts in favor of the carpenters just now, and if they succeed it will be a great gain to labor generally. The carpenters are the largest class of mechanics which have membership in the Federation. The carpenters are already working on the eight-hour system, at least all who are members of the Knights of Labor are."

"You will see," concluded Mr. Powderly, "that this eight-hour law is a most righteous one when you remember that a man can perform between the hours of eight and twelve in the morning more labor with the implements of the present than two men could perform in two days of ten hours each with the implements of forty years ago. The genius of the mechanic provided this labor-saving machinery, and it is but right that he should share its benefits. However, the solution of the whole problem will come when the laborer shares the profits of his toil. As he will be then working for himself, he can labor eight or ten hours as he may desire."

"NATURAL JAKE."

A Thief of National Renown Shot and Killed by His Wife in the Memphis Police Court.

MEMPHIS, Tenn., April 30.—Jake Ackerman, a thief with a National reputation, was shot and killed in the police court this morning by his wife. Ackerman was a well-known character in the United States as a sneak thief and burglar. He had been away from his wife, and returned here Monday night while escaping from officers from Omaha, who are in pursuit of him for a burglary and silk robbery committed last week. When he met his wife the two quarreled and the police came in and arrested Ackerman. This morning the woman, who is known as Lizzie Ackerman, came into the police court to prosecute the assault case. The trial had hardly begun before she drew a pistol and fired three bullets through the prisoner's body, killing him instantly. Ackerman was known among his companions as "Natural Jake" from his ability to feign innocence when arrested. He was thirty-eight years of age, and has been a thief from earliest childhood.

A FATEFUL PARADE.

A Street Parade of an "Uncle Tom's Cabin" Troupe Results Seriously at Cleveland, O.

CLEVELAND, O., April 30.—While an "Uncle Tom's Cabin" troupe was parading Parkman street this morning, a horse ridden by Chas. Gordon, one of the company, took fright at an electric motor, hurled Gordon to the pavement and then dashed into a crowd of school children, knocking a number of them down. In endeavoring to protect the children a young man was thrown to the pavement and seriously hurt. Gordon was taken up unconscious and removed to the hospital, with a terrible scalp wound and severe contusions. One of the children was severely injured and two others badly hurt, while quite a number received slight injuries.

Would-Be Swindlers Arrested.

PHILADELPHIA, May 1.—George Allen, of Phillipsburg, Kas., and Eli Beebe, of Superior, Neb., paid \$200 to a Newark (N. J.) man whom they met on their way East, for what they supposed was \$2,000 in counterfeit. They started West again, but were observed by the police at the depot here as they were opening the satchel to count the supposed money, and on being questioned the story came out. The satchel was found to contain tissue paper wrapped in a few good bills. The two men were allowed to continue their homeward journey.

Heavy Damages to Government Property.

DAVENPORT, Ia., April 30.—Damage to the amount of \$30,000 or more was done at the Rock Island Arsenal yesterday by an overflow. A new water-power dam is being built on the south side of the Government island, and to protect this work coffer-dams have been sunk above and below it, and the high water wore its way around the upper bulkhead and washed away some 30,000 yards of earth and the water has cut into the island fifty feet deep by 800 feet in length. The work of dam building will be delayed for weeks.

A GLANCE BACKWARD.

Reminiscences Recalled by the Report of McKinley's Tariff Committee. Every body remembers the loudly and supercilious tone in which the Republican organs of the tariff rings discussed the Democratic efforts to reform the revenue system two years ago. The Democratic members of the ways and means committee—Messrs. Mills, Breckinridge, Byrum and others—devoted two or three months to the preparation of a tariff bill, and the Republican organs reproached them for their dilatory action. The organs poked all sorts of fun at these gentlemen because they did not report a bill within a week or two after they had taken up the question, and declared very broadly that their failure to do so was due to their lack of general intelligence and ability to do such work, as well as to their shocking ignorance of practical business conditions and their want of familiarity with manufactures. The Journal of this city, taking the cue from the Eastern organs of monopoly, printed the figures showing the insignificance of the manufacturing interest in the Mills and Breckinridge districts, and insisted that as the State of Pennsylvania represented farmers principally, and Southern farmers at that, it was monstrous effrontery for them to assume to know any thing about the principals of taxation, or to have any thing to say about the amount of tribute the protected interest should be allowed to levy upon the masses of the people.

The Democratic members of the ways and means committee two years ago agreed upon a bill before submitting it to their Republican colleagues. For this they were severely rebuked by the New York Tribune, which characterized the Mills bill as "a dark-lantern bill"—a phrase which was echoed and re-echoed by all the other organs of the tariff rings.

When the Mills bill was reported the Republican papers before their able editors had had time to read it, assaulted it in unison in an attack upon the business interests of the country, which, if successful, was certain to throw the whole commercial world into confusion. Close mills and factories all over the country, and the men who were dependent upon employment, reduce the wages of the rest and play smash generally. There were some people scattered around the country whose unreasonable dividends the Mills bill would have cut down. Some of these people called themselves Democrats and others called themselves Republicans. The Mills bill was in fact a "dark-lantern bill" in the eyes of the tariff reformers, whereupon the monopoly organs shouted in chorus: "Behold how the Democratic party is torn up and likewise split wide open. Lo, it is demoralized and rent with internecine strife. Tariff tinkering has done it. The Democratic party is a shambles. 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